

**ORD #1216-17 Toddler Component
Section 100 Editorial Changes**

Justification for Changes without Regulatory Effect:

This is a package for regulatory changes filed pursuant to Title 1, California Code of Regulations (CCR), section 100. The changes make the regulations in the Manual of Policies and Procedures (MPP) and Title 22, CCR, at sections 101216.4 and 101417 consistent with recent amendments to Health and Safety (H&S) Code sections 1596.955 and 1596.956, and do not otherwise materially alter any requirements, right, responsibility, condition, prescription or other regulatory element of any MPP/CCR provisions. These changes are necessary because: (1) the written regulations have been superseded and rendered inconsistent by amendments to these statutes; and (2) the Department of Social Services (Department) has no discretion to adopt a change which differs in substance from the one chosen [Title 1, CCR, section 100(a)(6)(A) and (B)].

Effective January 1, 2016, Assembly Bill 762 (Chapter 373, Statutes of 2015) amended Sections 1596.955 and 1596.956 of the H&S Code, making age requirement changes to the pre-existing toddler component, changing the maximum age of children in care from 30 months of age to three years of age.

It is the intent of the Department based on its statutory authority to promulgate regulations that ensure the Department is in compliance with the non-discretionary mandate set forth by statute. In order to comply with the provisions of these statutes and bring the regulations into conformity with the law, the Department is revising the regulations. Specifically:

Health and Safety Code section 1596.955

To conform to new statutory requirements allowing children up to three years of age to remain in the toddler program component within a child care center, amendments have been made to MPP/Title 22, CCR, section 101216.4(a) and sections 101216.4(a)(1) through 101216.4(a)(6)(A) have been deleted.

Health and Safety Code section 1596.956

To conform to new statutory requirements allowing children up to three years of age to remain in the toddler program component within an infant care center, amendments have been made to MPP/Title 22, CCR, section 101417(a) and sections 101417(a)(1) through 101417(a)(6)(A) have been deleted.